



The Salisbury Planning Board held its regular meeting Tuesday, December 8, 2009, in the City Council Chamber of the Salisbury City Hall at 4:05 p.m. with the following being present and absent:

**PRESENT:** Karen Alexander, Mark Beymer, Robert Cockerl, Tommy Hairston, Valarie Stewart, and Bill Wagoner

**ABSENT:** Richard Huffman, Albert Stout and Diane Young

**STAFF:** Dan Mikkelson, Preston Mitchell and Diana Moghrabi

This meeting was digitally recorded for *Access 16* television by Jason Parks.

Robert Cockerl called the meeting to order and offered an invocation. The minutes of the November 27, 2009, meeting were approved as submitted. The Planning Board adopted the agenda as submitted.

## **OLD BUSINESS**

### **A. District Map Amendment**

- Staff Presentation
- Board Discussion
- Statement of Consistency
- Recommendation to City Council

**LDOZ-7-05-2009:** F. Lee & Cynthia P. Russell  
Unnumbered Statesville Boulevard  
Tax Map & Parcel(s) 330-021  
Approximately 26 acres (1 parcel)

**LDOZ-7-06-2009:** Ken Granberry  
Clyde W. & Mary B. Granberry  
2715 Statesville Boulevard  
Tax Map & Parcel(s) 330-117 & 330-121  
Approximately 22 acres (2 parcels)

Request to amend the Land Development District Map by rezoning approximately 26 acres (one parcel) and approximately 22 acres (two parcels) for a total of 48 acres along Statesville Boulevard (Hwy.70) from RURAL RESIDENTIAL (RR) to OPEN SPACE PRESERVE (OSP), RESIDENTIAL MIXED-USE (RMX), & CORRIDOR MIXED-USE

This case was originally heard August 25, 2009, by the Salisbury Planning Board and sent to Committee Three. The properties abut one another and the two cases (petitions) have been combined. A rezoning schematic by Fred Bowers has been completed and submitted to the Planning Board. This is not a preliminary plat and does not meet the requirements of a conditional district master plan. The petitioners are no longer requesting a blanket rezoning.

Preston Mitchell updated the staff presentation and applauded the applicants for providing OSP. A staff report was included in the Planning Board agenda packet. Staff recommended approval of the proposed rezoning as presented.

Mark Beymer thanked the petitioner for doing this work at their expense and added that he would be supporting this proposal. Bill Wagoner agreed and believed that they used the Land Development Ordinance in the way it was intended. Karen Alexander and Tommy Hairston also said they were supportive.

Mark Beymer made the MOTION and STATEMENT OF CONSISTENCY. "Planning Board approves LDOZ-7-05-2009 and LDOZ-7-06-2009. We determine that these cases are consistent with the goals, objectives and policies of the Vision 2020 Comprehensive Plan and recommend approval." Tommy Hairston seconded the motion with all members voting AYE. (6-0)

These cases will proceed to City Council January 5, 2010.

## **B. LDO Text Amendments**

**LDOTA-12-2009** DMX Lots – Regarding house and townhouse types only in the DMX.

Staff requested this item (non-conforming house types in the DMX) be deferred again until the next meeting. The Board agreed by consensus.

**LDOTA-13-2009** CD Revisions

Committee 3 (Bill Wagoner, Tommy Hairston, and Mark Beymer) set a committee meeting to discuss the approval process for Wednesday, December 16, 2009 at 4 p.m. in the first floor conference room at City Hall.

## **COMMITTEES**

### **LDOTA-10-2009: Citywide Sidewalk Requirements**

Committee #1 (Diane Young, Ch; Karen Alexander, V. Ch; Robert Cockerl) is scheduled Wednesday, December 9 at 3:30 p.m. at City Hall in the second floor conference room.

## **OTHER BOARD BUSINESS**

Mr. Neuhardt has submitted his resignation from the Planning Board. He served the Planning Board well and will be missed. Bill Wagoner offered to serve one year as the TRC Planning Board representative with Mark Beymer serving as alternate.

Dan Mikkelson introduced Luis Rivera who is a senior at West Rowan High School. Luis is interested in going into civil engineering, so he is doing some mentoring time with the City Engineering Division.

Planning Board's annual goals setting session will be the twenty-sixth of January, 2010. Planning Board will meet Wednesday, January 6, 2010, for a noon lunch meeting in preparation. A box lunch will be provided.

Preston Mitchell reviewed the planning law training session staff attended last week in Mooresville. He was provided a Power Point presentation by David Owens to meet the education goals of the Board.

For details you may visit

<http://www.ncga.state.nc.us/EnactedLegislation/SessionLaws/PDF/2009-2010/SL2009-406.pdf>

Session Law 2009-406

Senate Bill 831

\*S831-V-6\*

An Act to Extend Certain Government Approvals Affecting The  
Development of Real Property within the State

<http://www.ncga.state.nc.us/sessions/2009/bills/senate/pdf/s44v7.pdf>

Session Law 2009-421

An Act to Clarify the Law Regarding Appeals of Quasi-Judicial  
Decisions Made Under Article 19 of Chapter 160a and Article 18 Of  
Chapter 153a of the General Statutes

Staff will create pamphlets for quasi judicial meetings.

The next Planning Board meeting will be December 22, 2009.

There being no further business to come before the Planning Board the meeting was adjourned at 5:07 p.m.

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Robert Cockerl, Chair

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Diana Moghrabi, Secretary